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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,733	10/22/2003	Irving Toivo Salmeen	FGT 1840 PA	2732
28549	7590	12/17/2004	EXAMINER	
KEVIN G. MIERZWA ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			A, MINH D	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,733

Applicant(s)

SALMEEN ET AL.

Examiner

Minh D A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11 and 13-20 is/are rejected.
- 7) ☒ Claim(s) 9 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10, 13-20 are rejected under 35 U.S.C. 102(b) as being unpatentable by Stam et al (US 6,611,610).

Regarding claims 1, 19 and 20, Stam discloses a vehicle safety system comprising: at least one light source (1132, 1131, 1143 and 1145) at least one beam-forming assembly optically coupled to said at least one light source (1143 and 1145); at least one object detection sensor (1135 and 201 and 1107, 1109 and 1111) for detecting at least one object and generating at least one object detection signal; and a controller (1105) coupled to said at least one beam-forming assembly and said at least one object detection sensor (1135 and 201 and 1107, 1109 and 1111) and microcontroller (1105) for adjusting illumination output of the vehicle safety system in response to said object detection signal. See figures 11-33, col.12, lines 15-67 to col.47, lines 1-58.

Regarding claim 2, Stam discloses a memory coupled to said controller and storing a plurality of beam patterns, said controller selecting at least one of

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said beam patterns in response to said object detection signal. See col.5, lines 2-30.

Regarding claim 3, Stam discloses wherein said controller (1105) for adjusting said illumination output adjusts an illumination parameter selected from at least one of beam pattern, beam location, beam intensity, beam focus, and beam angle. See figure 11 and 33.

Regarding claim 4, Stam discloses wherein said at least one object detection sensor is a receiver and receives a communication signal from said at least one object, said controller adjusting said illumination output in response to said communication signal. See figures 11 and 33.

Regarding claim 5, Stam discloses wherein said at least one object detection sensor is a passive object detection sensor. See figure 11.

Regarding claim 6, Stam discloses wherein said at least one object detection sensor is selected from at least one of a radio frequency transceiver, a radio frequency receiver, a radio frequency sensor, an infrared transceiver, an infrared receiver, an infrared sensor, a laser transceiver, and a laser sensor. See figures 11 and 33.

Regarding claims 11-13, Stam discloses further comprising a navigation system coupled to said controller, said controller receiving information related to at least a portion of said at least one vehicle operating condition from said navigation system and said controller adjusts a vehicle state in response to said object detection signal and [c13] A system as in claim 11, Stam discloses

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wherein said object detection sensor receives a cruise control signal and said controller in response to said cruise control signal adjusts said vehicle state.

Regarding claims 14-18, Stam discloses wherein said controller adjusts a cruise control parameter in response to said object detection signal and at least one light emitter optically coupled to said at least one beam forming assembly, said controller independently adjusting illumination output of each of said at least one light emitter and object detection signal is generated in response at least one communicative light signal generated from said at least one object.

Allowable Subject Matter

2. Claims 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach that, a transmitter coupled to said controller and transmitting a first communication signal, said object detection sensor receiving a second communication signal in response to said first communication signal and adjusting said illumination output in response to said second communication signal and wherein said controller adjusts said illumination output in response to at least one vehicle operating condition and discloses wherein said controller adjusts said illumination output in response to at least one vehicle operating condition selected from at least one of velocity, speed, directional heading, acceleration, location, steering wheel angle, brake status, throttle angle,

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turn signal status, traction control status, differential wheel speed, light status, turn indicator status, windshield wiper status, windshield wiper speed, and engine speed in dependent claims 9 and 12.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Walters et al (US 5,895,986) and Yamashita et al. (US 6,087,776) are cited to show a lighting control system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.


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Examiner

Minh A

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12/13/04


WILSON LEE
PRIMARY EXAMINER